

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1156 be amended to read as follows:

- 1 Page 9, between lines 13 and 14, begin a new paragraph and insert:
- 2 "SECTION 3. IC 33-28-4-10 IS ADDED TO THE INDIANA
- 3 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
- 4 [EFFECTIVE JULY 1, 2006]: **Sec. 10. (a) The employer of a person**
- 5 **who:**
- 6 (1) **is summoned to serve as a juror; and**
- 7 (2) **notifies the employer of the jury summons:**
- 8 (A) **within a reasonable time after receiving the jury**
- 9 **summons; and**
- 10 (B) **before the person appears for jury duty;**
- 11 **may not subject the person to any adverse employment action as**
- 12 **the result of the person's jury service.**
- 13 (b) **An employee may not be required or requested to use annual**
- 14 **leave, vacation leave, or sick leave for time spent:**
- 15 (1) **responding to a summons for jury duty;**
- 16 (2) **participating in the jury selection process; or**
- 17 (3) **serving on a jury.**
- 18 **This subsection does not require an employer to provide annual**
- 19 **leave, vacation leave, or sick leave to an employee who is not**
- 20 **otherwise entitled to these benefits.**
- 21 (c) **If:**
- 22 (1) **a prospective juror works for an employer with ten (10) or**
- 23 **fewer full-time employees (or their equivalent);**
- 24 (2) **another employee of the employer described in subdivision**
- 25 (1) **is performing jury service; and**

1 **(3) the prospective juror or the employee performing jury**
 2 **service notifies the court that they both work for the same**
 3 **employer;**
 4 **the court shall reschedule the prospective juror's jury service for**
 5 **a date that does not overlap with the jury service of the other**
 6 **employee already performing jury service."**

7 Page 10, between lines 16 and 17, begin a new paragraph and insert:

8 "SECTION 19. IC 33-28-5-23 IS AMENDED TO READ AS
 9 FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 23. (a) A person who
 10 appears for service as a petit or grand juror serves until the conclusion
 11 of the first trial in which the juror is sworn, regardless of the length of
 12 the trial or the manner in which the trial is disposed. A person who
 13 appears for service but is not selected and sworn as a juror completes
 14 the person's service at the end of one (1) day.

15 (b) A person who:

16 (1) serves as a juror under this chapter; or

17 (2) completes one (1) day of jury selection but is not chosen to
 18 serve as a juror;

19 may not be selected for another jury panel until all nonexempt persons
 20 on the master list have been called for jury duty.

21 (c) **The employer of a person who:**

22 **(1) is summoned to serve as a juror; and**

23 **(2) notifies the employer of the jury summons:**

24 **(A) within a reasonable time after receiving the jury**
 25 **summons; and**

26 **(B) before the person appears for jury duty;**

27 **may not subject the person to any adverse employment action as**
 28 **the result of the person's jury service.**

29 (d) **An employee may not be required or requested to use annual**
 30 **leave, vacation leave, or sick leave for time spent:**

31 **(1) responding to a summons for jury duty;**

32 **(2) participating in the jury selection process; or**

33 **(3) serving on a jury.**

34 **This subsection does not require an employer to provide annual**
 35 **leave, vacation leave, or sick leave to an employee who is not**
 36 **otherwise entitled to these benefits.**

37 (e) **If:**

38 **(1) a prospective juror works for an employer with ten (10) or**
 39 **fewer full-time employees (or their equivalent);**

40 **(2) another employee of the employer described in subdivision**

41 **(1) is performing jury service; and**

42 **(3) the prospective juror or the person performing jury**
 43 **service notifies the court that they both work for the same**
 44 **employer;**

45 **the court shall reschedule the prospective juror's jury service for**
 46 **a date that does not overlap with the jury service of the other**
 47 **employee."**

Page 11, between lines 14 and 15, begin a new paragraph and insert:
 "SECTION 20. IC 33-28-6-27 IS ADDED TO THE INDIANA
 CODE AS A NEW SECTION TO READ AS FOLLOWS
 [EFFECTIVE JULY 1, 2006]: **Sec. 27. (a) The employer of a person**

who:

(1) is summoned to serve as a juror; and

(2) notifies the employer of the jury summons:

**(A) within a reasonable period after receiving the jury
 summons; and**

(B) before the person appears for jury duty;

**may not subject the person to any adverse employment action as
 the result of the person's jury service.**

**(b) An employee may not be required or requested to use annual
 leave, vacation leave, or sick leave for time spent:**

(1) responding to a summons for jury duty;

(2) participating in the jury selection process; or

(3) serving on a jury.

**This subsection does not require an employer to provide annual
 leave, vacation leave, or sick leave to an employee who is not
 otherwise entitled to these benefits.**

(c) If:

**(1) a prospective juror works for an employer with ten (10) or
 fewer full-time employees (or their equivalent);**

(2) another employee of the employer described in subdivision

(1) is performing jury service; and

**(3) the prospective juror or the employee performing jury
 service notifies the court that they both work for the same
 employer;**

**the court shall reschedule the prospective juror's jury service for
 a date that does not overlap with the jury service of the employee
 already performing jury service."**

Renumber all SECTIONS consecutively.

(Reference is to HB 1156 as printed January 27, 2006.)

Representative Mays